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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------------|-------------|----------------------|---------------------|------------------|
| 09/512,268 | 02/24/2000 | Makiko Mori | 862.C1847 | 5969 |
| 5514 | 7590 | 12/28/2005 | EXAMINER | |
| FITZPATRICK CELLA HARPER & SCINTO | | | TRAN, TRANG U | |
| 30 ROCKEFELLER PLAZA | | | ART UNIT | |
| NEW YORK, NY 10112 | | | PAPER NUMBER | |
| | | | 2614 | |

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|--------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/512,268 | MORI ET AL. | |
| | Examiner | Art Unit | |
| | Trang U. Tran | 2614 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-3,5-11 and 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/31/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed Oct. 12, 2005 have been fully considered but they are not persuasive.

Applicants argue that neither Kim nor Watanabe Yoshinao nor Bowden III et al in any way teaches or suggests the features of Claims 1, 9, 17 and 18 of two detection means to detect first and second ambient environments surrounding an image display device arranged in the image display device and a first image display device adjusting means in a terminal connected by cable to the image display device to adjust a first characteristic of the image display device based on a detected change in a first ambient environment surrounding the image display device transmitted to the terminal and a second image display adjusting means in the image display device to adjust a second characteristic of the image display device based on a change in a second ambient environment surrounding the image display device because Kim discloses an automatic color temperature control device that controls the color temperature according to detected environmental brightness and appliance color and environmental temperature of the appliance, Watanabe Yoshinao may disclose a television receiver that has a volume sensor 9 and a volume control circuit 7, and Bowden III et al may teach a portable digital photographic viewer that has a display 104 in an enclosure 122 with a circuit board 120.

In response, the examiner respectfully disagrees. the examiner has pointed out what each of the prior art references teaches and has indicated how and why these

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references would have been combined to arrive at the claimed invention. Applicants cannot show non-obviousness by attacking the references individually where, as here, the rejection is based on a combination of references. In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

As stated in the last Office Action and repeatedly in this Office Action, Watanabe Yoshinao discloses all the claimed a television system having a terminal (elements 3-4 and 7-8) for receiving a television program, and outputting a signal including at least a pair of video and acoustic signal, and an image display device (elements 5 and 6) connected to the terminal for receiving the signal from the terminal and displaying a corresponding image comprising 1) the claimed first detection means, arranged in the image display device, for detecting a first ambient environment around the image display device is met by volume sensor 9 (volume sensor 9, the abstract), 2) the claimed transmission means for transmitting a change of the first ambient environment detected by said first detection means to the terminal is met by the volume sensor (volume sensor 9, the abstract), and 3) first adjustment means, arranged in the terminal, for adjusting a first characteristic of the image display device based on the transmitted change is met by the volume control circuit 7 (the volume control circuit 7, the abstract). However, Watanabe Yoshinao does not specifically disclose the claimed that the image display device is connected to the terminal with a connection cable; second detection means, arranged in the image display device, for detecting a second ambient environment around the image display device; second adjustment means, arranged in the image display device, for adjusting a second characteristic of the image display

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device based on a change of the second ambient environment detected by said second detection means; and that the transmission means transmits the change of the first ambient environment detected by said first detection means to the terminal through the connection cable.

Kim teaches an automatic color temperature control device having the claimed second detection means, arranged in the image display device, for detecting a second ambient environment around the image display device (the chromaticity sensing section 21 for sensing environmental brightness and color of the appliance disclosed from col. 4, line 40 to col. 5, line 27 or the temperature sensing section 28 for sensing a environmental temperature of the appliance disclosed from col. 4, line 40 to col. 5, line 27) and second adjustment means, arranged in the image display device, for adjusting a second characteristic of the image display device based on a change of the second ambient environment detected by said second detection means (the contrast control section 24 or the brightness control section 25 which control the brightness of the picture to be display disclosed col. 5, lines 48-62 or the white point control section 26 which controls the respective levels of the RGB primary color signals disclosed from col. 5, line 1 to col. 6, line 42).

It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the automatic color temperature control device as taught by Kim into Watanabe Yoshinao's system in order to automatically control the color temperature of a picture displayed on a screen so that a refresh feeling is given from the displayed

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picture when the environmental temperature of the appliance is high, while a warm feeling is given from the displayed picture when the environmental temperature is low.

The proposed combination of Watanabe Yoshinao and Kim does not specifically disclose that the image display device is connected to the terminal with a connection cable and that the transmission means transmits the change of the first ambient environment detected by said first detection means to the terminal through the connection cable.

Bowden, III et al teaches IEEE 1394 High Performance Serial Bus can be used to couple various electronic components (page 1, paragraph #0014 and page 2, paragraph #0021).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the IEEE 1394 High Performance Serial Bus as taught by Bowden, III et al into Watanabe Yoshinao's system in order to increase the data transmission speed because IEEE 1394 has high transmission speed. Thus, the combination of Watanabe Yoshinao, Kim, and Bowden, III et al discloses all the claimed limitations of at least independent claims 1, 9, 17 and 18.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1-2, 5-6, 8-10, 13-14 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe Yoshinao (JP Publication No. 06-062346) in view of Kim (US Patent No. 6,172,719 B1) and further in view of Bowden, III et al (US 2003/0086685).

In considering claim 1, Watanabe Yoshinao discloses all the claimed a television system having a terminal (elements 3-4 and 7-8) for receiving a television program, and outputting a signal including at least a pair of video and acoustic signal, and an image display device (elements 5 and 6) connected to the terminal for receiving the signal from the terminal and displaying a corresponding image comprising 1) the claimed first detection means, arranged in the image display device, for detecting a first ambient environment around the image display device is met by volume sensor 9 (volume sensor 9, the abstract), 2) the claimed transmission means for transmitting a change of the first ambient environment detected by said first detection means to the terminal is met by the volume sensor (volume sensor 9, the abstract), and 3) first adjustment means, arranged in the terminal, for adjusting a first characteristic of the image display device based on the transmitted change is met by the volume control circuit 7 (the volume control circuit 7, the abstract).

However, Watanabe Yoshinao does not specifically discloses the claimed that the image display device is connected to the terminal with a connection cable; second detection means, arranged in the image display device, for detecting a second ambient environment around the image display device; second adjustment means, arranged in the image display device, for adjusting a second characteristic of the image display

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device based on a change of the second ambient environment detected by said second detection means; and that the transmission means transmits the change of the first ambient environment detected by said first detection means to the terminal through the connection cable.

Kim teaches an automatic color temperature control device having the claimed second detection means, arranged in the image display device, for detecting a second ambient environment around the image display device (the chromaticity sensing section 21 for sensing environmental brightness and color of the appliance disclosed from col. 4, line 40 to col. 5, line 27 or the temperature sensing section 28 for sensing a environmental temperature of the appliance disclosed from col. 4, line 40 to col. 5, line 27) and second adjustment means, arranged in the image display device, for adjusting a second characteristic of the image display device based on a change of the second ambient environment detected by said second detection means (the contrast control section 24 or the brightness control section 25 which control the brightness of the picture to be display disclosed col. 5, lines 48-62 or the white point control section 26 which controls the respective levels of the RGB primary color signals disclosed from col. 5, line 1 to col. 6, line 42).

It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the automatic color temperature control device as taught by Kim into Watanabe Yoshinao's system in order to automatically control the color temperature of a picture displayed on a screen so that a refresh feeling is given from the displayed picture when the environmental temperature of the appliance is high, while a

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warm feeling is given from the displayed picture when the environmental temperature is low.

The proposed combination of Watanabe Yoshinao and Kim does not specifically disclose that the image display device is connected to the terminal with a connection cable and that the transmission means transmits the change of the first ambient environment detected by said first detection means to the terminal through the connection cable.

Bowden, III et al teaches IEEE 1394 High Performance Serial Bus can be used to couple various electronic components (page 1, paragraph #0014 and page 2, paragraph #0021).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the IEEE 1394 High Performance Serial Bus as taught by Bowden, III et al into Watanabe Yoshinao's system in order to increase the data transmission speed because IEEE 1394 has high transmission speed.

In considering claim 2, the claimed wherein said first and second adjustment means performs an adjustment operation when the detection result of said first and second detection means change not less than a predetermined degree is met by the referred to as "nature eyes" or "nature sensor" (col. 6, lines 20-42 of Kim).

In considering claim 5, the claimed wherein said first detection means detects a change in brightness, and said first adjustment means performs an adjustment operation corresponding to a change in ambient brightness is met by the chromaticity sensing section 21 and the contrast control section 24 or the brightness control section

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25 which control the brightness of the picture to be display (Fig. 2, col. 4, line 40 to col. 6, line 42 of Kim).

In considering claim 6, the claimed wherein said second detection means detects a change in ambient color temperature, and said second adjustment means performs a color temperature adjustment operation is met by the temperature sensing section 28 and the white point control section 26 which controls the respective levels of the RGB primary color signals (Fig. 2, col. 4, line 40 to col. 6, line 42 of Kim).

In considering claim 8, the claimed wherein an adjustment result of said second adjustment means is informed to the terminal is met by the control signals outputted from the microprocessor 22 for controlling either brightness, contrast or color temperature of the picture display (Fig. 2, col. 5, line 48 to col. 6, line 7 of Kim).

Claims 9-10 are rejected for the same reason as discussed in claims 1-2, respectively.

Claims 13-14 are rejected for the same reason as discussed in claims 5-6, respectively.

Claim 16 is rejected for the same reason as discussed in claim 8.

Claim 17 is rejected for the same reason as discussed in claim 1.

Claim 18 is rejected for the same reason as discussed in claim 1.

In considering claim 19, the claimed wherein the adjustment operation is a contrast adjustment operation is met by the contrast control section 24 or the brightness control section 25 which control the brightness of the picture to be display (Fig. 2, col. 5, lines 48-62 of Kim).

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Claim 20 is rejected for the same reason as discussed in claim 19.

4. Claims 3, 7, 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe Yoshinao (JP Publication No. 06-062346) in view of Kim (US Patent No. 6,172,719 B1), Bowden, III et al (US 2003/0086685), and further in view of Shirayanagi Isao et al (JP Publication No. 10-262198 A).

In considering claim 3, the combination of Watanabe Yoshinao, Kim, and Bowden, III et al disclose all the limitations of the instant invention as discussed in claim 1 above, except for providing the claimed further comprising third detection means, arrange in the terminal, for detecting a third ambient environment around the terminal, wherein said first adjustment means adjusts the first characteristic based on the transmitted change and a change of the third ambient environment detected by said third detection means. Shirayanagi Isao et al teach that the open/close switch 17 is provided at a side passage 16 which is connected to the attenuator 15 in parallel, the open/close switch 17 is closed by a signal transmitted from the detection switch 33 when the receiver 32 is unhooked, a voice signal is transmitted to a speaker 14 via the attenuator 15 so as to reduce or eliminate a voice level (see abstract). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the detection switch as taught by Shirayanagi Isao et al into the combination of Watanabe Yoshinao and Kim and Bowden, III et al's system in order to eliminate inconvenience to adjust the volume of TV set whenever a phone call is made by providing a volume reducing means for the TV set.

In considering claim 7, the claimed wherein said third detection means detects a busy telephone signal, and said first adjustment means performs a volume adjustment operation to reduce noise in accordance with said first detection means is met by the open/close switch 17 is provided at a side passage 16 which is connected to the attenuator 15 in parallel, the open/close switch 17 is closed by a signal transmitted from the detection switch 33 when the receiver 32 is unhooked, a voice signal is transmitted to a speaker 14 via the attenuator 15 so as to reduce or eliminate a voice level (see abstract of Shirayanagi Isao et al).

Claim 11 is rejected for the same reason as discussed in claim 3.

Claim 15 is rejected for the same reason as discussed in claim 7.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TT TT

December 22, 2005


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600